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LAMAR'S PROSECUTION
OF
SANTA ANNA

“The blood of Goliad and the Alamo. The hand that
spilt it wrote Tekel on the walls of Mexico.”

—Toast by Lamar, at a dinner given in his honor
at Columbus, Ga., July 4, 1837.

SINCLAIR MORELAND
EDITOR

Published by
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Austin, Texas
Box 538

My case is B

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LAMAR'S PROSECUTION OF SANTA ANNA

War Department,
Republic of Texas, 12th May, 1836.

To the President and Cabinet:

Gentlemen—Impressed with the importance of an early determination of the question as to what disposition shall be made of General Santa Anna and other Mexican prisoners in the custody of this government, I beg leave to call you to the consideration of the matter by tendering most respectfully the result of my reflections upon the subject, without burdening the cabinet with the various considerations which have conducted me to my conclusions. Whatever course may be decided upon, prompt and energetic execution would seem to be highly advisable. From the tenor of some of our discussions, conducted with frankness and freedom, I infer that my views, in all probability, will be found on this embarrassing question not in accordance with those of a majority of the body with whom I have the honor to act; but, however variant our opinions, there can be but one motive of action, which is patriotism, and but one object to attain, which is the good of the country. Feeling as I do a great reliance upon both your ability and willingness to perceive and pursue the right, I cannot urge my peculiar opinions with that ardour and zeal which I should do in cases where those with whom I might differ possessed a smaller share of my personal esteem and public confidence. But, notwithstanding this unaffected deference to your virtue and wisdom, my convictions are not the less clear and stable, and my obligation to enforce them, as far as my official voice can do it, is not the less imperious and binding. Coming to my task with a clear conscience, and awarding the same to those with whom I disagree, I will in the first place promise that the different conclusions at which we have arrived in former discussions in relation to our distinguished prisoner, have arisen from the fact that whilst he has been considered by most of the cabinet exclusively as a prisoner of war, I have been disposed to regard him more as an apprehended murderer. The conduct of General Santa Anna will not permit me to view him in any other light. A chieftain battling for what he conceives to be the rights of his country, however mistaken in his views, may be privileged to make hot and vigorous war upon the foe; but when, in violation of all the principles of civilized conflict, he avows and acts upon the revolting policy of extermination and rapine, slaying the surrendering, and plundering whom he slays, he forfeits the commiseration of mankind by sinking the character of the hero into that of an abhorred murderer. The President of Mexico has pursued such a war upon the citizens of this Republic. He has caused to be published to the world a decree denouncing as pirates beyond the reach of his clemency all who shall be found rallying around the standard of our independence. In accordance with this decree, he has turned over to the sword the bravest and best of our friends and fellow citizens after they had grounded their arms under

the most solemn pledge that their lives should be spared. He has fired our dwellings, laid waste our luxuriant fields, excited servile and insurrectionary war, violated plighted faith, and inhumanly ordered the cold-blooded butchery of prisoners, who have been betrayed into capitulation by heartless professions. I humbly conceive that the proclamation of such principles and the perpetuation of such crimes place the offender out of the pale of negotiation, and demand at our hands other treatment than what is due a mere prisoner of war. Instinct condemns him as a murderer, and reason justifies the verdict. Nor should the ends of justice be averted because of the exalted station of the criminal, or be made to give way to the suggestions of interest or any cold considerations of policy. He who sacrifices human life at the shrine of ambition, is a murderer, and deserves the punishment and infamy of one. The higher the offender, the greater reason for its infliction. I am therefore of the opinion that our prisoner, General Santa Anna, has forfeited his life by the highest of all crimes, and is not a suitable object for the exercise of our pardoning prerogative. There are minds, no doubt, that will readily assent to the justice of this sentence, yet, nevertheless, be willing to waive its execution for certain advantages which it is fancied will flow to our country from a wise and judicious negotiation. Of those who cherish this view of the matter, I would respectfully inquire, what surety do they propose for the fulfillment of any stipulations? What good can they hope to result from an extorted treaty? General Santa Anna is our prisoner of war, and as such may be ready to enter into any agreement which our rights may require, or our selfishness exact; but, when restored to liberty and power, will he feel any obligation to comply with such terms which he had no agency in dictating? What he assents to whilst a prisoner he may reject when a free man. Indeed, the idea of treating with a man in our power, who views freedom in acquiescence and death in opposition, seems to me more worthy of ridicule than refutation; and to carry on such a negotiation with an individual who never was known to fulfill a voluntary promise against his interest, with the remotest expectation that he will act up to an extorted one, which his pride and resentment spurn, would evince a confidence in human nature dangerous to act upon, and which I should most sincerely deplore if permitted to influence the councils of this Republic.

If it be true, as experience leads us to suspect, that but little reliance is to be placed upon the faith even of good men, when it stands in collision with their interest, what dependence or confidence shall we repose upon the word of one whose sanguinary crimes are equalled only by his treachery and falsehood? Yet such is the acknowledged character of the distinguished individual with whom it is proposed to treat for our independence, and to restore to liberty and power under a verbal or written pledge that he will promote our wishes and serve our cause. With me such pledges are lighter than "moonshine's watery beam." I trust them as I would a "dicer's oaths." But, independent of this consideration, it may be very well doubted whether Santa Anna, with every disposition to fulfill every

agreement which he may now enter into, will, on his return to Mexico, have the power to do it. It was public opinion which drove him into war with Texas, and the same public sentiment, on his arrival at home, may keep him in the attitude of avowed, if not actual, hostility to this country. No matter what may be his private feelings, self-preservation, the stability of his power, may depend upon his continued opposition to our views. How can we then expect of him a compliance with any compact formed for the recognition of our independence, or for any other purpose? The advantage proposed to be gained from his supposed, or probable, integrity, cannot, of consequence, be realized, even with every willingness on his part to redeem his pledges. I doubt not in the least that as soon as the news of his defeat and imprisonment shall be sounded within the walls of Mexico, that instant will be lost all his authority in the land, as he has long since lost the affections of his people. He will be powerless either for good or ill. I am, therefore, decidedly opposed to all negotiation or arrangements with him. First, because he is a prisoner, and not free to act; secondly, because he is faithless and unworthy of confidence; and thirdly, because of the great certainty of his inability to fulfill his promises, even with the desire to do it. But, after all, if I should find myself mistaken, if negotiations shall be entered into with him, and all the anticipated blessings be realized, our independence acknowledged, our national boundary settled, and our rights respected, I shall be mortified with the reflection that these ends, which might have been easily achieved by our valour, have been obtained by the sacrifice of just resentment, and the loss of merited vengeance. I shall certainly rejoice in my country's prosperity, but at the same time shall feel that whilst her interest was promoted, the ends of justice were perverted.

Opposed as I stand to all negotiations with our prisoner, that question very naturally arises: What is the next best course to adopt after the rejection of the proposal for his execution? I answer that I am but an ill adviser when I feel myself called upon to forsake the right, to follow the expedient; yet, as I am bound officially to speak, I have no hesitancy in offering as my opinion, that the first thing to which we should direct our attention is the redemption of our fellow citizens in captivity, by exchange of prisoners, according to rank and numbers. When this is effected, the balance of the Mexicans in our power, the officers and soldiers, including General Santa Anna and his suite, should remain prisoners of war in the custody of the government, during the continuance of hostilities, which I would not cease to prosecute with all the vigour of our strength and resources, until our national rights shall be recognized in a treaty of peace with the government of Mexico. I feel that our country is fully adequate to the achievement of this desirable end, which I doubt not will be greatly facilitated by holding on to the most influential of our prisoners, whose interests it will be to promote, as speedily as practicable, some arrangements with their government which shall give liberty to them and satisfaction to us. If they can be of any possible use to us in bringing about a recognition of our independence, it must be in this way; it must be by the lingering

authority that may still attach to their names in Mexico, together with the personal influence which they may be able to exercise over their friends and partisans, for their redemption. As prisoners of war, it is their interest to forward our views, and they are powerless to do us harm; but if we should release them upon the strength of any pledges which they might make, we turn loose an inveterate enemy, with knowledge increased by experience, and a disposition to injure augmented by mortified pride, with no guarantee for the fulfillment of promises, except the honor of one who feels no compunction and fears no shame. Hence I vote for their detention as prisoners, and stand opposed to all policy that would give them freedom before the termination of our struggle. And I recommend the adoption of this course the more cheerfully because it will operate the dethronement of a tyrant who never possessed power without abusing it, or the affections of his people without betraying them. The detention of Santa Anna in Texas, until a treaty of peace is formed, will strip him of all authority in Mexico, and this will be mercy to that nation, and perhaps to mankind. He will return to the land that has groaned under his despotism a toothless viper, with the malevolence to strike, but without the fang to wound. Upon his downfall will rise the advocates of liberal principles and the friends of free government. Humanity will rejoice at the respite from blood, and the agitated waves of society will be smoothed and tranquillized by the oil of peace. The ends of justice may not be fully attained, but the brave patriots whose rights have been crushed in the march of this ruthless rioter in blood will feel some consolation in the reflection that, though he escapes the proper expiation of crime, he will experience in the reverses of fortune some retribution for his merciless wars waged against human liberty and human life. I am understood, I presume, as recommending this course only as a secondary one. My mind adheres to its original convictions, that our prisoner should be tried and punished for the crime of murder. I still feel that strict justice requires this course, that it is sustained by reason, and will receive the sanction of the present generation, as well as the approving voice of posterity. If the cabinet could concur with me in this view of the subject, and march boldly up to what I conceive to be the line of right, it would form a bright page in the history of this infant nation. It would read well in the future annals of the present period, that the first act of this young Republic was to teach the Caligula of the age that in the administration of public justice, the vengeance of the law falls alike impartially on the prince and the peasant. It is time that such a lesson should be taught the despots of the earth. They have too long enjoyed an exemption from the common punishment of crime. Throned in power, they banquet on the life of man, and then purchase security by the dispensation of favours. We have it in our power now to give an impulse to a salutary change in this order of things. We are sitting in judgment upon the life of a stupendous villain, who, like all others of his race, hopes to escape the blow of merited vengeance by the strong appeals which his exalted station enables him to make to the weak or selfish principles of our nature.

Shall he be permitted to realize his hopes, or not? Shall our resentment be propitiated by promises, or shall we move sternly onward, regardless of favour or affection, to the infliction of a righteous punishment? My voice is, "*Fiat justitia, ruat coelum.*"

Send forth this decree, and all will be well. It will be a corner stone of adamant to the government which we are about to erect. On such a solid foundation we shall be able to rear a fair fabric of freedom with such a pleasing combination of beauty and strength as to attract the admiration of the virtuous, and at the same time bid defiance to the assaults of the vicious. But if, on the other hand, we should be overawed from this course by the dread of consequences, or be seduced from it by the flattering suggestions of a selfish policy, what will the present generation say; what will be the language of posterity, but that we were deficient in necessary energy for the times; that we had lost in the cabinet what we gained in the field, and that the selfish character of our councils had dimmed the chivalry of San Jacinto? I do not fly to the law of retaliation in support of the measure I propose. I repudiate the doctrine of "*lex talionis.*" All that I ask is even-handed justice. Give to crime the punishment that is due. Justice is a lovely attribute. If personified, she would rival the masterwork of Praxiteles. I would not mar the least of her beauties. I would not offer violence to one of her pure and holy precepts for all the diadems of the Caesars. Amongst her sacred principles, that which demands an impartial administration of public law is perhaps the most exalted and pre-eminent. I require only that this be not set aside in adjudicating the case of our distinguished prisoner. Let the same punishment be awarded him which we would feel bound in honor and conscience to inflict on a subaltern charged and convicted with the like offence. This is all that justice can require. If he had committed no act which would bring condemnation on a private individual, then let him be protected: but if he has perpetrated crimes which a man in humble life would have to expiate on the scaffold, then why shield him from the just operations of a law to which another is held amenable? The exalted criminal finds security in negotiation, whilst the subaltern offender is given over to the sword of the executioner. Surely no consideration of interest or policy can atone for such a violation of principle. View the matter in every possible light, and Santa Anna is still a murderer. If it were any other person, we should all feel it to be our imperious duty to invoke upon his head the thunders of the violated law; but, being him, what becomes of this imperious duty? It holds a parley to calculate the profits of a dereliction. I would most respectfully impress upon the cabinet the extreme danger of all policy that conflicts with an impartial execution of strict justice, and would also enforce the important reflection that a negotiation with a villain, for his forfeited life, is but the licensing of crime. The impropriety of the course which I fear we are about to pursue, in giving life and liberty to one so unworthy of either, in consideration of pecuniary or political advantages, may be easily illustrated by an imaginary case. Turn to any of the blood-thirsty tyrants whose murders darken the pages of

ancient history—Nero, for instance,—and place him upon trial for his multiform iniquities against God and nature. Behold him in the pride of his power; the wheels of his chariot rattle on the bones of his foes, and the banner of extermination floats in the sighs of a heartbroken people. Behold him in his hours of revelry; the wailing of the widow is the music of the festal hall, and the tear of the orphan is the nectar of the banquet. Behold him in the moments of cruelty and wrath; he rips the womb of his mother, stamps his iron heel upon the bosom of beauty, and drinks the blood of the blue-eyed infant. Suppose he were now arraigned before us in all the plenitude of crime, with the accumulated guilt of forty years flowering on his head and staring us in the face; suppose it were proven upon him that the history of his whole life was one continued series of slaughter, rapine, and desolation; that he could devote himself to the music of the violin in the midst of a burning city, and walk over the prostrate bodies of the dying and the dead, from the instinctive love of cruelty and blood? I ask you in the name of outraged nature and insulted justice, what should be our verdict against so foul a demon? Every virtuous emotion, every manly feeling, every ennobling principle of the human heart, proclaims in a voice of thunder—*Instant death and eternal shame*. But suppose, in opposition to all the eloquence of nature, we were to whisper in the ear of the princely criminal that he had gold and power and dominion, and that, though his crimes were manifold and great, he might still elude the punishment which his villainy deserved, if he would give us gold to pay our public debt; if he would enlarge our national boundary, and elevate us in the scale of political dignity: I ask in the name of common honesty, what would be the judgment of mankind upon such a transaction? What could it be less than that we had dimmed the lustre of our national escutcheon by a sacrifice of principle for the public good? And now I would most respectfully put the question: In what essential particular does this imaginary case differ from the real one under consideration? Who is Santa Anna but the Nero of the present day? Is he not the foe to all virtue? Has he not stabbed at public liberty? Has he not rioted in human gore, ravaged realms, violated treaties, and stands he not now before us the invader of our country and the cold-blooded butcher of our friends and brethren? Why hesitate, then, to consign him to that punishment which his deeds demand?

By negotiating with him for his life and liberty, do we not in effect publish to the world that our abhorrence of crime is subordinate to our attachment to interest, and that we are willing to stifle the course and forego a just resentment for certain political advantages, which it were just as easy to win by our arms, and which, I fear, after all negotiations, we shall still have to purchase and maintain by our valour? Poor worth, that political dignity which is bought at the price of honour! I am certain that there is not a gallant son of chivalry whose faithful sabre played like a meteor on the plains of San Jacinto, but will feel that his trusty blade drank the blood of the foe in vain when he hears that the prime object of vengeance has been permitted to purchase his life and depart the land, in liberty

and peace. It will be useless to talk to him about national independence and national domain, so long as the bones of his murdered brethren lie bleaching on the prairies unavenged. Treble the blessings proposed to be gained by this negotiation will be considered poor and valueless when weighed against that proud and high resentment which the soldier feels for wrongs received. In the day of battle the animating cry was "Alamo." And why? Because it was known that the slaughterer of the Alamo was then in the field. It was him that was sought. It was not against the poor and degraded instruments of his tyranny that we warred. They fell, it is true, before our avenging strokes like grass before a reaper's sickle, but it was only because they stood in the way of our march to the audacious Moloch. Through a forest of lances and a storm of canister, we rushed upon the bold offender, and the rejoicing spirits of the Georgia Battalion hailed their hour of vengeance come; when lo! a frigid figure by name of policy rises between the victim and the avenging blow, and shields the murderer with a piece of parchment and a little sealing wax. The great difficulty in dealing with our prisoner as his crimes deserve, arises, as I have already intimated, from the fact that education will not permit us to strip him of his ill-got honors, and view him in the attitude of a private individual. We are taught, by what we see around us in early childhood, to reverence wealth and power; and it is almost impossible in after life to emancipate the mind from the slavish thralldom; so that, when we approach the guilty lords of creation, there is an involuntary shrinking back, as if we deemed them privileged in enormity and not amenable to us for their outrages. We feel that we should not deal with them as we would with ordinary men.

If a peasant convicted of murder shall offer a bribe for the preservation of his life, it meets with prompt and indignant repulsion; but if a prince under like circumstances shall, in the fulness of his power, propose some lordly favour, it is accepted with avidity, as if it were upon our part a virtuous performance of duty. Besides this, we flatter ourselves that there is nothing wrong in the transaction, because we are not personally and privately the beneficiaries of the bargain; but certainly the right, or wrong, doth not depend upon who are the recipients—whether the public or an individual. If we have a right thus to act for the good of the nation, we can do the same for the good of a community; and if for a community, we can for a family; and if for a family, why may not that family be our own? This mode of reasoning will readily exhibit the fallacy, if not the immorality, of that doctrine which draws a distinction between a low and a high offender, and justifies a negotiation with the one which would be odious and criminal with the other. Let us apply it to the case before us. A man is in our custody as a prisoner, who is guilty of the most exalted crimes—perfidy and murder—and who, if he were a private individual, we should feel ourselves bound in conscience to God and man to hang upon a gallows as high as Haman's; but who, in consideration of his being President of a mighty nation, a man of popularity and influence, is allowed to purchase exemption from punishment and bid defiance

to the united condemnation of justice and of vengeance; and we hope to escape all censure and reproach for this partial and mercenary proceeding because it is done, not for our own, but for the public good. Really, I know of no principle in that pure and sacred code published upon smoking Sinai that will at all excuse this invidious distinction and obvious selfishness in the administration of public justice. The dignity of a criminal cannot sanctify his crimes; neither should his gold or his influence be permitted to purchase immunity. It is in vain that the slayer of my people approach with his bond and his signet; though he bind himself upon a sheet of steel to fill the public coffers with the gold of Ophir, and to exalt my nation to the rank of Macedon, it shall not turn aside the course of natural justice, which surely ought, for weal or woe, to fall on all alike. To act up to this principle requires no ordinary moral effort. We have to struggle against the force of instinct, education and habit.

But certain am I that no draft will ever be dishonored when fairly drawn upon the conscience and integrity of this cabinet. I am only endeavouring to convince them that the one which they are about to discount is unworthy of acceptance, because it wants the endorsement of reason. Without full reliance upon their high integrity, I should not thus address myself to their understanding. It is because I know them from personal acquaintance to be alive to all the virtuous feelings and ennobling sentiments of the heart, that I now appeal to them so earnestly to discard those antiquated and exploded notions which have so long given immunity to guilt and thrown unmerited protection around the gigantic villains of the world. In the name of that freedom which despotism has so often crushed, and in behalf of that humanity which hath been so ruthlessly violated, I call upon my associate adjudicators of a tyrant's fate to shut their ears to his seductive overtures; to turn from his proffered blessings, and to banish from their minds every consideration except the simple ends of justice. Scorning the suggestions of selfishness and fear, let us look alone at the crimes and not at the criminal; at wrongs received, and not at the favors tendered; and gazing with a steady eye upon the high and exalted morality that knows no high nor low, no rich nor poor in the administration of law, let us march boldly onward to the simple line of right, and teach at least one salutary lesson to the demons of mankind, that in this government, young and feeble as she is, there is no security for crime, and that the sword of justice entrusted to our hands to defend her rights and avenge her wrongs, can pierce the purple robes of royalty as easily as the plain raiment of the humble man. Let us do this and receive the approbation of all posterity.

Do you hesitate? I entreat you to consider the character of those whose death we are called upon to avenge. They were no mercenary soldiery nor hired menials. They were ornaments to the land they left, the flowers of honour and the pride of chivalry. The history of war cannot furnish a nobler band of patriotic heroes than those who rallied around the standard of Fannin. I knew many, very many, of them personally, and can testify to their generous spirit. A braver people never hung the sabre on the thigh. In that dark

and portentous period of our affairs, when the tempest of desolation was thickening over the land. they nobly threw themselves between the oppressor and the oppressed, and made their bosoms the shields of our liberty, our homes and our firesides.

At the very first signal of alarm their banners were thrown to the breeze and their bayonets brightened in the sunbeam. Those banners are torn and the bayonets are broken. And where is the gallant Battalion? Go ask the tyrant where. He who calmly sits in the shade of yonder piazza, as if his bosom bore all peace within, can tell you, if he will, that it was by the authority of his order that the Spartan band, under the hope of liberty and home, was marched from the holy sanctuary of God to the awful slaughter-field; he can tell you that whilst his brave General Urrea and his whole army wept at the stern decree, himself alone rejoiced at the roar of the musketry that stained the plain of Labahia, and spread the horrid banquet to the bird of carnage. Never did the broad eye of day look upon a fouler murder; never were a better and a braver people sacrificed to a tyrant's ferocity. The most of them were youthful heroes. I doubt not that each received, on leaving home, the Spartan injunction to bring back his father's shield, or be brought back upon it. Gallant youths! They did their duty well; and their fame will yet be the burthen of some "high-toned Noel's harp and soft Llewellyn's lay." Forgive me that I do not pour the "meed of one melodious tear." I cannot weep for those whose souls have found a "bright reversion in the sky." Their death inspires no other feeling than a hallowed remembrance of their virtues, and a fixed determination, if possible, to avenge their wrongs. If he by whose orders they were basely murdered shall escape the thunders of retribution, it may not be done by my approval. The blood of Fannin and Fenner and the gallant Shackelfords, shall not plead with me in vain. Whatever may be the honest views and feelings of others. I beg permission to publish to every parent who mourns the loss of a bright-eyed son in that all horrible transaction, that there is at least one in the councils of this Republic who is mindful of the vengeance due his gallant boy, and who will not forego its payment even for a nation's weal. I cannot, will not, compromise with a crimson-handed murderer. Let it not be told in Gath, nor published in the streets of Askalon, that we took the gold of our foes in payment for the blood of our friends.

It will be perceived that I have said but little in reference to the policy of the measure which I propose. I have purposely avoided it, because it is useless to discuss consequences when principle points out the course. The main design of this letter has been to unfold the feelings and motives which have influenced my decision in the case, and as policy has had but small share in the matter, I have been unwilling to enter into any formal argument upon this branch of the subject. Yet, nevertheless, if so disposed, I believe it were not difficult to prove that the course I urge is as safe on the score of policy as it is sound in principle. The release of Santa Anna will not facilitate the recognition of our independence in Mexico, because when he returns to his country he will be wanting both in the will-

ingness and the ability to bring it about; and his execution cannot retard the end, because his death will be as acceptable in Mexico as in Texas, and can engender no additional hatred and hostility to this country.

If he return, public opinion will not permit him to promote our wishes; and if he die, it will operate as a salutary warning to those who shall lead a future expedition into this country. It will be a guarantee against the savage butchery of prisoners, and confine the movements of the enemy within the limits of civilized warfare. If it be for a moment supposed that it might cause the concentration and return of the Mexican forces, now retiring from our borders, I can only answer that nothing can be more improbable; but if true, it will not be a movement of much alarm; for the same chivalry that strewed the plains of San Jacinto can just as easily reap the remaining harvest. I have always thought, and still believe, that our sole reliance should be upon our swords and not upon the faith of Santa Anna. If the armies now on a retreat shall dare a counter-march, there will not be in the next battle a Mexican left to tell the tale of their defeat; and if another expedition against us shall be gotten up in the fall or spring thereafter, there will come into our country such a cavalcade of gallant heroes as will make their chivalry to skip. They may pour their effeminate thousands upon our borders as "numerous as the leaves that strew the Vale of Valambrosa," but we will only sweep them from the soil indignant with a hurricane of death. The very first army that turns its face to the east will awaken a war which will move onward and onward over the broad prairies of the West, knowing no termination until it reaches the walls of Mexico, where we shall plant the standard of the Single Star and send forth our decrees in the voice of our artillery.

Such, gentlemen, are my humble views of this embarrassing question, submitted with a little more prolixity than I had promised or intended. If aught that I have said, however, can have any influence upon the decision of the cabinet, I shall not regret the labour bestowed or the time consumed; but if otherwise, I can only promise to yield a cheerful acquiescence to whatever course may be determined upon by a majority of our body. Harmony in our councils is indispensable at this crisis to the maintenance of official confidence and the preservation of public tranquillity; but as unanimity of sentiment on this occasion is not to be had, I can do nothing further to avoid the evils of dissension than to co-operate with the cabinet in the execution of this final decision, which I shall do the more readily because I have so many reasons to know that whatever is ordered will be aimed for the best. That my feelings and opinions may not be misapprehended, I beg leave, by way of recapitulation, to state that toward the common soldiers among our Mexican prisoners, I cherish no malice or resentment, looking upon the most of them in the light of unwilling instruments in the hands of tyranny; neither can I perceive in the conduct of the officers any particular acts which might be considered as legitimate in a soldier devoted to his profession, or in a patriot enlisted in the cause of his country.

These, after an exchange of prisoners, I would retain in the custody of the government until the conclusion of the war; but, viewing General Santa Anna altogether in a different attitude, I would adopt the course in reference to him which I have already urged. His crimes being sanguinary, I would read his punishment from the Code of Draco.

With the highest confidence in the integrity and patriotism of the cabinet, I have the honor, gentlemen, to subscribe myself,

Your obedient servant,

MIRABEAU B. LAMAR,
Secretary of War.

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